

107TH CONGRESS
1ST SESSION

H. J. RES. 37

Proposing an amendment to the Constitution of the United States to provide for the appointment and voting, by congressional district, of electors for the election of President and Vice President, and to provide procedures for electing the President and Vice President if no candidate receives a majority of electoral votes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2001

Mr. CLEMENT introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to provide for the appointment and voting, by congressional district, of electors for the election of President and Vice President, and to provide procedures for electing the President and Vice President if no candidate receives a majority of electoral votes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled (two-*
3 *thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*

1 ratified by the legislatures of three-fourths of the several
2 States within seven years after the date of its submission
3 for ratification:

4 “ARTICLE —

5 “SECTION 1. In an election for President and Vice
6 President, each State shall appoint one elector for each
7 district in that State represented by a member of the
8 House of Representatives. Each elector shall cast a vote
9 for the candidates for President and Vice President who
10 received the greatest number of popular votes in that dis-
11 trict.

12 “SECTION 2. Each State shall appoint two electors
13 who shall each cast a vote for the candidates for President
14 and Vice President who received the greatest number of
15 popular votes in that State.

16 “SECTION 3. Electors for the District constituting
17 the seat of Government of the United States as provided
18 by the twenty-third article of amendment shall each cast
19 a vote for the candidates for President and Vice President
20 who received the the greatest number of popular votes in
21 the District.

22 “SECTION 4. If no candidate for an office receives
23 a majority of the votes cast by the electors, then from the
24 two candidates for that office receiving the highest number
25 of electoral votes, the House of Representatives shall

1 choose immediately, by ballot, one candidate who shall
2 serve in that office.

3 “SECTION 5. If ratification of this article by three
4 fourths of the several States occurs within the calendar
5 year of a Presidential election, this article shall not take
6 effect until the following Presidential election.

7 “SECTION 6. Congress shall have the power to en-
8 force this article by appropriate legislation.”.

